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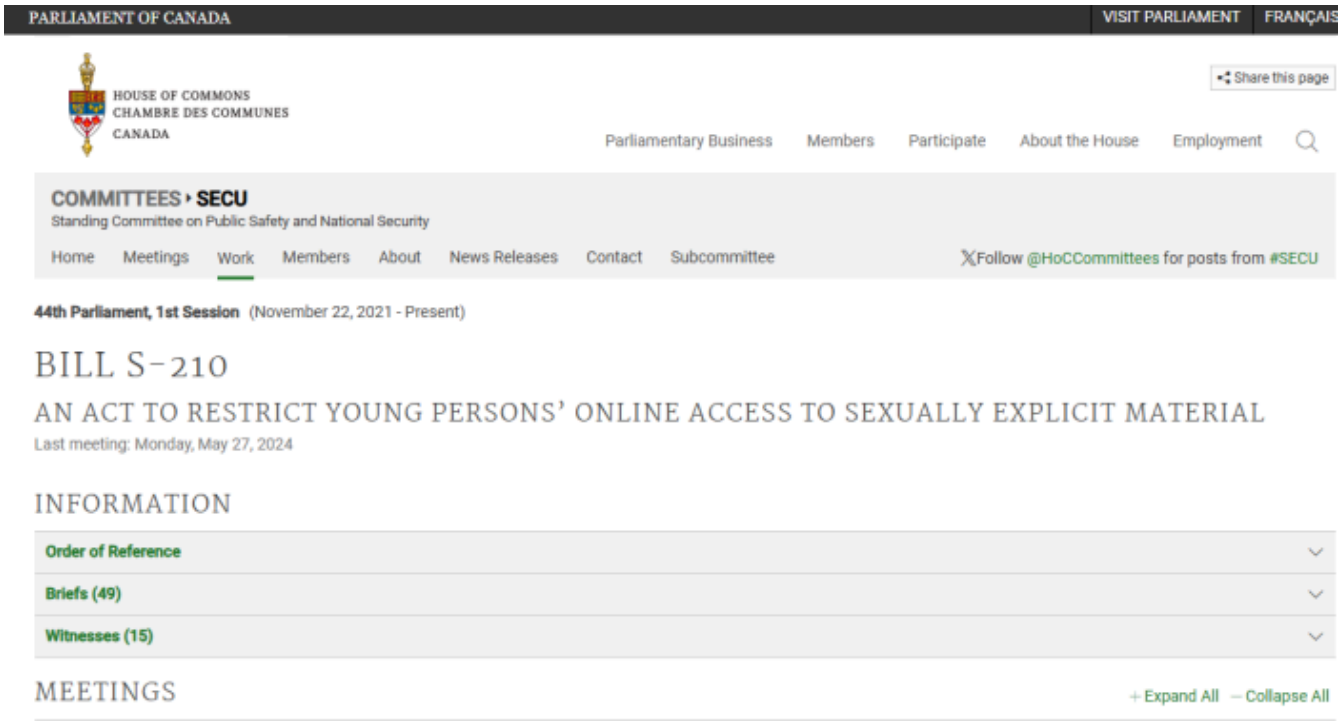
DECEMBER 15, 2024 BY RONNIE

Bill S-210: Age Restricting Pornography, Yukon Status of Women Council Opposed



This is a follow up to the previous article, which covered Women's LEAF, the Women's Legal Action and Education Fund. It's not the only group opposed to this legislation. Bill S-210 passed through the Senate in the Spring of 2023, and has yet to undergo Third Reading in the House of Commons, after the hearings concluded. It was introduced by Quebec Senator Julie Miville-Dechêne.

The Bill itself is titled: An Act to restrict young persons' online access to sexually explicit material. As the name implies, the substance is about age restricting access to pornography. Quite simply, this is to limit the access *of minors* to this content.

The Yukon Status of Women Council (YSWC) is the group that sent in this paper in opposition to Bill S-210. The majority of it has nothing to do with the issue at hand.

One of their current efforts is SWAPY, Supporting Worker' Autonomy Project Yukon. While claiming to be against human trafficking and exploitation, they call for support and legalization of sex work, which is inherently exploitative.

They note that:

"*It is critical to note that sex work and exploitation and trafficking are often conflated, which has far reaching impacts on policies and services which cause harm to those engaging in sex*

work, which is consensual (vs. exploitation, which is not consensual). Part of our work aims to counter these misconceptions and increase safety and options for peers."

The argument is beyond the scope of this article, but it's also irrelevant here. It's also repeated in their submissions to the House of Commons. Bill S-210 is about implementing an age-restriction regime for accessing adult content. It's about whether or not there should be some sort of screening to prevent minors from getting access.

While this seems broad, the Bill does have a "Defences" section within.

> Defence — legitimate purpose
> (2) No organization shall be convicted of an offence under section 5 if the act that is alleged to constitute the offence has a ***legitimate purpose related to science, medicine, education or the arts***.

To be clear, Bill S-210 puts in a number of exemptions, such as: (a) science; (b) medicine; (c) education; and the "arts". While the exact definitions are not spelled out, at least the first 4 are pretty obvious. It's more subjective as to what "the arts" would encompass.

YUKON STATUS OF WOMEN COUNCIL

Yukon Status of Women Council Brief to the Standing Committee on Public Safety and National Security

May 2024

Background

Yukon Status of Women Council (YSWC) is a territorial non-profit organization based in Whitehorse, Yukon. As an intersectional, decolonial feminist research organization, we occupy a unique position within the gender justice community because we are the only non-governmental organization that has the mandate to work on gender justice issues with all levels of government, conduct research, develop and follow-through with actionable recommendations, and provide a platform for amplifying Yukon women's voices. A participatory approach grounded in the issues and concerns of Yukon women is then translated into systemic and structural change, centring the community's concerns and salient, emergent issues.

As a project-based organization, we facilitate the Supporting Worker's Autonomy Project Yukon (SWAPY). This project is built to increase options for the wellbeing and safety for people who trade sex in the Yukon, as well as supporting people who have experienced sexualized exploitation and trafficking. It is critical to not conflate these two terms, recognizing some sex workers experience exploitation and trafficking, and some survivors of trafficking also do sex work. Our focus is on providing non-directive support from the individual's experience. A large portion of our project's work involves countering damaging narratives about sex work and the harms that are a direct result of conflating sex work and trafficking in policy and law. SWAPY works with a diverse range of community partners to

YSWC states several times that it's trying to refute the narrative which conflates "consensual work" with overt "trafficking and exploitation". It's unclear how that applies here. Minors shouldn't be permitted access, which is the goal of Bill S-210. Whether or not there's exploitation at the other end is beside the point.

Concerning Scope and Censorship

The broad scope of Bill S-210 means it can easily be extended beyond its goal of protecting children from accessing sexually explicit material. By encompassing all forms of such content online, the bill risks disproportionately censoring marginalized voices, including women, LGBTQ2S+ individuals, sex workers, and racialized communities[2]. This censorship undermines freedom of expression and perpetuates systemic inequalities by further silencing already marginalized voices. Furthermore, the selective application of these censorship measures deepens existing biases and discrimination within online platforms and communities, and creates additional barriers for adult content creators using these platforms for business.

The impact of this censorship extends beyond mere content moderation, affecting the livelihoods and autonomy of those who rely on online platforms for income and community building. Independent content creators, including sex workers and artists, face the threat of financial hardship and even more avenues for stigmatization and criminalization as a result of increased content restrictions and platform censorship, while larger adult websites would remain unaffected. Moreover, the bill's failure to consult with affected communities further marginalizes those whose voices are already underrepresented or wholly ignored in legislative processes. This not only perpetuates systemic discrimination and exclusion, but reinforces racist, sexist and infantilizing narratives and legislative attempts at eroding individual autonomy.

For LGBTQ2S+ communities, access to sexually explicit material is crucial for self-expression and education, particularly in the increasingly hostile environments we are seeing online. The bill's restrictive measures feed into the current wave of anti-trans ideology, further marginalizing these groups by limiting their access to necessary resources and invaluable community support.

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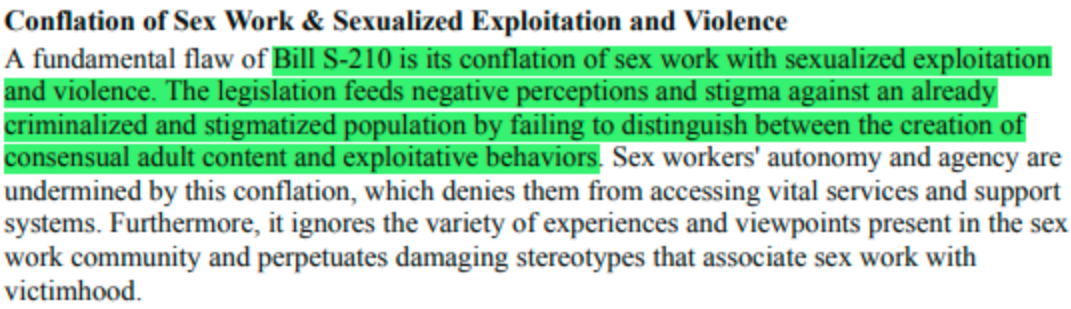
[1] Safiya Umoja Noble, Algorithms of oppression: How search engines reinforce racism, 1st Ed (New York, NYU

"*The impact of this censorship extends beyond mere content moderation,* ***affecting the livelihoods and autonomy of those who rely on online platforms for income and community building****. Independent content creators,* ***including sex workers and artists, face the threat of financial hardship and even more avenues for stigmatization and criminalization*** *as a result of increased content restrictions and platform censorship, while larger adult websites would remain unaffected.*"

How would implementing some age-verification system "create financial hardship" unless the content was (at least in part) directed at minors? Seems like those are the kinds of operations that SHOULD be closed down.

The group also claims that the alphabet "community" needs access to sexually explicit material for education and expression. This is identical to what Women's LEAF argues. Assuming this is true, why then would this be detrimental, unless it was aimed at minors?



Conflation of Sex Work & Sexualized Exploitation and Violence

A fundamental flaw of Bill S-210 is its conflation of sex work with sexualized exploitation and violence. The legislation feeds negative perceptions and stigma against an already criminalized and stigmatized population by failing to distinguish between the creation of consensual adult content and exploitative behaviors. Sex workers' autonomy and agency are undermined by this conflation, which denies them from accessing vital services and support systems. Furthermore, it ignores the variety of experiences and viewpoints present in the sex work community and perpetuates damaging stereotypes that associate sex work with victimhood.

YSWC argues that Bill S-210 infringes on the “right to work” for sex workers. It does no such thing, but merely requires some effort to ensure all the customers are actually adults.

YSWC points out that requirements could be bypassed by using a VPN, and setting it to indicate that the device is located in another country. While true, it doesn’t really give a reason to abandon the Bill altogether.

As an aside, YSWC is also involved in a Court challenge against the Safer Communities and Neighbourhoods (SCAN) legislation. It allows for evictions of tenants on 5 days notice in the event of certain illegal activities. These include:

- drug trafficking
- bootlegging
- prostitution

In early 2022, the Yukon Government committed to reviewing the SCAN Act.

While it could be argued the YSWC does valid advocacy work for women who’ve fallen on hard times, it still doesn’t explain the opposition to Bill S-224. Perhaps more general privacy concerns would gut their online businesses if people had to use their real identities to gain access.

BILL S-210, (AGE RESTRICTING PORNOGRAPHY):
(1) https://www.parl.ca/legisinfo/en/bills
(2) https://www.parl.ca/legisinfo/en/bill/44-1/s-210
(3) https://www.parl.ca/DocumentViewer/en/44-1/bill/S-210/third-reading
(4) https://sencanada.ca/en/senators/miville-dechene-julie/
(5) https://www.ourcommons.ca/Committees/en/SECU/StudyActivity?studyActivityId=12521982

(6) Women's LEAF Submission Against Implementing Bill S-210

(7) Yukon Status Of Women Council Against Implementing Bill S-210

BILL S-224, (HUMAN TRAFFICKING):

(1) https://www.parl.ca/legisinfo/en/bills

(2) https://www.parl.ca/legisinfo/en/bill/44-1/s-224

(3) https://www.parl.ca/DocumentViewer/en/44-1/bill/S-224/third-reading

(4) https://sencanada.ca/en/senators/ataullahjan-salma/

(5) https://www.ourcommons.ca/Committees/en/JUST/StudyActivity?studyActivityId=12111640

Private Member Bills In Current Session:

(1) Bill C-206: Decriminalizing Self Maiming To Avoid Military Service

(2) Bill C-207: Creating The "Right" To Affordable Housing

(3) Bill C-219: Creating Environmental Bill Of Rights

(4) Bill C-226: Creating A Strategy For Environmental Racism/Justice

(5) Bill C-229: Banning Symbols Of Hate, Without Defining Them

(6) Bill C-235: Building Of A Green Economy In The Prairies

(7) Bill C-245: Entrenching Climate Change Into Canada Infrastructure Bank

(8) Bill C-250: Imposing Prison Time For Holocaust Denial

(9) Bill C-261: Red Flag Laws For "Hate Speech"

(10.1) Bill C-293: Domestic Implementation Of Int'l Pandemic Treaty

(10.2) Bill C-293: Concerns Raised In Hearings Over Food Supplies

(10.3) Bill C-293: Lobbying Interests Behind Nathaniel Erskine-Smith

(11) Bill C-312: Development Of National Renewable Energy Strategy

(12) Bill C-315: Amending CPPIB Act Over "Human, Labour, Environmental Rights"

(13) Bill C-367: Removing Religious Exemptions Protecting Against Antisemitism

(14) Bill C-373: Removing Religious Exemptions Protecting Against Antisemitism 2.0

(15) Bill C-388: Fast Tracking Weapons, Energy, Gas To Ukraine

(16) Bill C-390: Expanding Euthanasia Into PROVINCIAL Frameworks

(17) Bills C-398/C-399: Homeless Encampments, Immigration "Equity"

(18) Bill C-413: Prison Time Proposed For Residential School "Denialism"

(19) Bill S-210: Women's Legal Action & Education Fund

(20) Bill S-215: Protecting Financial Stability Of Post-Secondary Institutions

(21) Bill S-243: Climate Related Finance Act, Banking Acts

(22) Bill S-248: Removing Final Consent For Euthanasia

(23) Bill S-257: Protecting Political Belief Or Activity As Human Rights

(24) Bill S-275: Adding "Sustainable And Equitable Prosperity" To Bank Of Canada Act

CANADA, CANADIAN BILLS, NGO/CS, PORNOGRAPHY/PROSTITUTION, TRAFFICKING, SMUGGLING, CHILD EXPLOITATION

One Reply to “Bill S-210: Age Restricting Pornography, Yukon Status of Women Council Opposed”

Dane

DECEMBER 15, 2024 AT 7:30 AM

Thankfully some people are tired of this nonsense and are working to defund it. Example: https://www.cbc.ca/news/canada/saskatchewan/ursu-womens-centre-defunding-1.7410278